

EXHIBIT 5

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)**

**Case No. 3:23-md-3071
MDL No. 3071**

**THIS DOCUMENT RELATES TO:
3:23-CV-00742 [KABISCH]**

Chief Judge Waverly D. Crenshaw, Jr.

**DECLARATION FOR ROSE ASSOCIATES, INC. IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND IMPROPER
VENUE UNDER RULES 12(B)(2) AND (B)(3)**

I, J. Brian Peters, hereby declare and state as follows:

1. I am the Chief Operating Officer Rose Associates, Inc. ("Rose") a position I have held since 2012. I submit this declaration in support of Defendants' Motion to Dismiss Tennessee Actions for Lack of Personal Jurisdiction and Improper Venue. I am familiar with the location of properties managed by Rose, and the general roles and responsibilities of Rose's property management employees. The facts stated herein are based on my personal knowledge and my review of records created and maintained by Rose.

2. Rose is a privately held corporation incorporated in New York with a principal address of 777 Third, 6th Floor, New York, NY 10017.

3. Rose is not registered to conduct business in the State of Tennessee, conducts no business there, and has never conducted business there.

4. Rose has never owned or managed any properties in the State of Tennessee and does not otherwise have any operations there.

5. Rose has never employed any employee in the State of Tennessee.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on October 6, 2023 in White Plains, New York.

A handwritten signature in black ink, appearing to be "J. Brian Peters". The signature is stylized with a large, looped "J" and a horizontal line extending from the top of the "P".

J. Brian Peters